

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

GILLIAN FILYAW, individually and on
behalf of all others similarly situated;

Plaintiff,

vs.

STEVE CORSI, Chief Executive Officer
of the Nebraska Department of Health
and Human Services, in his official
capacity; and MATT AHERN, Interim
Director of the Division of Medicaid and
Long-Term Care, in his official capacity;

Defendants.

4:24CV3108

ORDER

This matter is before the Court on Plaintiff's motion for leave to proceed in forma pauperis, [Filing No. 2](#), Plaintiff's designation of place of trial, [Filing No. 3](#), and Plaintiff's motion to restrict pursuant to the E-Government Act, [Filing No. 7](#).

IT IS ORDERED:

1. Upon review of the information contained in Plaintiff's affidavit, Plaintiff is eligible to proceed *in forma pauperis*. Plaintiff's application, [Filing No. 2](#), is granted and the complaint shall be filed without payment of fees.

2. If Plaintiff is not requesting service by United States Marshal, Plaintiff's attorney of record shall, as soon as possible, contact the Clerk of the Court. The Clerk of the Court is directed to issue the requested summons located at [Filing Nos. 12](#) and [13](#). The issued summon(s) will then be returned to Plaintiff's attorney of record for service on Defendant(s).

3. If Plaintiff is requesting service by the United States Marshal, Plaintiff's attorney of record shall, as soon as possible, complete the USM-285 form(s) and return them to the Clerk of the Court. The Clerk of the Court will issue the requested summons located at [Filing Nos. 12](#) and [13](#) to be forwarded with a copy of Plaintiff's Complaint to the U.S. Marshal for service of process. The Clerk of the court will copy the Complaint; Plaintiff's counsel need not do so. The Marshal shall serve the summons and the Complaint without payment of costs or fees.

4. This order is entered without prejudice to the court later entering an order taxing costs in this case. No one, including any plaintiff, is relieved by this order from the obligation to pay or to reimburse taxable costs after this action is over.

5. The Plaintiff's designation of place of trial, [Filing No. 3](#), is not a motion. See NECivR 40.1. The Clerk of the Court is directed to update the filing to reflect it is a notice and terminate the motion.

6. Plaintiff's motion to restrict under the E-Government Act, [Filing No. 7](#), is granted. [Filing No. 8](#) is restricted to case participants and the Court.

Dated this 13th day of June, 2024.

BY THE COURT:

s/ Jacqueline M. DeLuca

United States Magistrate Judge